

EXHIBIT D

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

MDL No. 2804

Case No. 17-md-2804

This document relates to:

Judge Dan Aaron Polster

Case No. 1:19-op-45459-DAP

JENNIFER ARTZ, LEGAL
GUARDIAN OF CHILD I.A.A. and
MELISSA BARNWELL, LEGAL GUARDIAN OF
CHILD C.G., and
ROMAN AND JACQUELINE RAMIREZ,
LEGAL GUARDIANS OF CHILD R.R., and
on Behalf of Themselves and All Other Similarly
Situated Legal Guardians,

Plaintiffs,

v.

ENDO HEALTH SOLUTIONS INC.; ENDO
PHARMACEUTICALS, INC.; PAR
PHARMACEUTICAL, INC.; PAR
PHARMACEUTICAL COMPANIES, INC. f/k/a
PAR PHARMACEUTICAL HOLDINGS, INC.;
JANSSEN PHARMACEUTICALS, INC.;
JANSSEN PHARMACEUTICA, INC. n/k/a
JANSSEN PHARMACEUTICALS, INC.;
NORAMCO, INC.; ORTHO-MCNEIL-JANSSEN
PHARMACEUTICALS, INC. n/k/a JANSSEN
PHARMACEUTICALS, INC.; JOHNSON &
JOHNSON; TEVA PHARMACEUTICAL
INDUSTRIES LTD.; TEVA
PHARMACEUTICALS USA, INC.;
CEPHALON, INC.; ALLERGAN PLC f/k/a
ACTAVIS PLC f/k/a ALLERGAN, INC.;
ALLERGAN FINANCE, LLC f/k/a ACTAVIS, INC.
f/k/a WATSON PHARMACEUTICALS, INC.;
ALLERGAN SALES, LLC; ALLERGAN
INC.; WATSON LABORATORIES, INC.;

WARNER CHILCOTT COMPANY, LLC; :
 ACTAVIS PHARMA, INC. f/k/a WATSON :
 PHARMA INC.; ACTAVIS SOUTH ATLANTIC :
 LLC; ACTAVIS ELIZABETH LLC; ACTAVIS : MID
 ATLANTIC LLC; ACTAVIS TOTOWA LLC; :
 ACTAVIS LLC; ACTAVIS KADIAN LLC; :
 ACTAVIS LABORATORIES UT, INC. f/k/a :
 WATSON LABORATORIES, INC.-SALT LAKE :
 CITY; ACTAVIS LABORATORIES FL, INC. : f/k/a
 WATSON LABORATORIES, INC. – :
 FLORIDA; :
 MALLINCKRODT PLC; MALLINCKRODT LLC; :
 SPECGX LLC; DEPOMED, INC.; INDIVIOR, ;
 INC.; RICHARD S. SACKLER; JONATHAN D. :
 SACKLER; MORTIMER D.A. SACKLER; :
 KATHE A. SACKLER; ILENE SACKLER :
 LEFCOURT; BEVERLY SACKLER; THERESA :
 SACKLER; DAVID A. SACKLER; RHODES :
 TECHNOLOGIES; RHODES TECHNOLOGIES :
 INC.; RHODES PHARMACEUTICALS L.P.; :
 RHODES PHARMACEUTICALS INC.; TRUST :
 FOR THE BENEFIT OF MEMBERS OF THE :
 RAYMOND SACKLER FAMILY; THE P.F. :
 LABORATORIES, INC.; CARDINAL HEALTH, :
 INC.; MCKESSON CORPORATION; :
 AMERISOURCEBERGEN DRUG CORP.; :
 HEALTH MART SYSTEMS, INC.; H. D. SMITH, :
 LLC d/b/a HD SMITH f/k/a H. D. SMITH :
 WHOLESALE DRUG CO.; H. D. SMITH :
 HOLDINGS, LLC; H. D. SMITH HOLDING :
 COMPANY; CVS INDIANA, LLC; CVS HEALTH :
 CORPORATION; CVS RX SERVICES, INC.; : HBC
 SERVICE COMPANY; :
 PRESCRIPTION SUPPLY, INC.; :
 RITE AID CORPORATION; RITE AID OF :
 MARYLAND, INC.; RITE AID OF MARYLAND, :
 INC. d/b/a RITE-AID MID-ATLANTIC :
 CUSTOMER SUPPORT CENTER, INC.; :
 WALGREEN CO.; WALGREENS BOOTS :
 ALLIANCE, INC.; WALGREEN EASTERN :
 CO.; WAL-MART INC. f/k/a WAL-MART :
 STORES, INC.; MIAMI-LUKEN, INC.; and :
 COSTCO WHOLESALE CORPORATION; :

Defendants.

INTERROGATORIES
and
REQUEST FOR PRODUCTION OF DOCUMENTS

Plaintiffs, Jennifer Artz, Legal Guardian of Child Isabella Artz; Melissa Barnwell, Legal Guardian of Child Cierra Gregory and Roman and Jacqueline Ramirez, Legal Guardian of Child Ryan Ramirez, on Behalf of Themselves and All Other Similarly Situated Legal Guardians, by and through undersigned counsel, pursuant to Rule 34 of the Federal rules of Civil Procedure, hereby propounded the following Interrogatories and Request for Production of Documents to Defendants, Endo Health Solutions, Inc.; Eno Pharmaceuticals, Inc.; Par Pharmaceutical, Inc.; Par Pharmaceutical Companies, Inc., f/k/a Phar Pharmaceutical Holdings, Inc.; Janssen Pharmaceuticals, Inc.; Janssen Pharmaceutical, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Noramco, Inc.; Ortho-McNeil-Janssen Pharmaceuticals, Inc. n/k/a Janssen Pharmaceuticals, Inc.; Johnson & Johnson; Teva Pharmaceutical Industries Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Allergan PLC f/k/a Actavis PLC f/k/a Allergan, Inc.; Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.; Allergan Sales, LLC; Allergan USA Inc.; Watson Laboratories, Inc.; Warner Chilcott Company, LLC; Actavis Pharma, Inc. f/k/a Watson Pharma Inc.; Actavis South Atlantic, LLC; Actavis Elizabeth, LLC; Actavis Mid Atlantic, LLC; Actavis Totowa, LLC; Actavis, LLC; Actavis Kadian, LLC; Actavis Laboratories UT, Incl f/k/a Watson Laboratories, Inc.-Salt Lake City; Actavis Laboratories FL, Inc. f/k/a Watson Laboratories, Inc.-Florida; Mallinckrodt PLC; Mallinckrodt, LLC; SpecGx LLC; Depomed, Inc.; Indivior, Inc.; Cardinal Health, Inc.; McKesson Corporation; AmerisourceBergen Drugs Corp.; Health Mart Systems, Inc.; H.D. Smith, LLC d/b/a HD Smith f/k/a H.D. Smith Wholesale Drug Co.; H.D. Smith Holdings, LLC; H.D. Smith Holdings Company; CVS Indiana, LLC; CVS Health Corporation; CVS RX Services, Inc.; Discount Drug Mart, Inc.; HBC Service Company; Prescription Supply, Inc.; Rite Aid Corporation; Rite Aid of Maryland, Inc.; Rite Aid of Maryland, d/b/a Rite-Aid Mid-Atlantic Customer Support Center, Inc.; Walgreen Co.; Walgreens Boots Alliance, Inc.; Walgreen Eastern Co.; Wal-Mart, Inc. f/k/a Wal-Mart Stores, Inc.;

Miami-Luken, Inc. and Costco Wholesale Corporation. Your responses to these interrogatories or requests for production are due within thirty (30) days from the date of service.

DEFINITIONS:

As used in these Interrogatories and Requests:

1. “Child/Baby” means or refers to Isabella Artz; Cierra Gregory and/or Ryan Ramirez.
2. “Legal Guardian” means or refers to Jennifer Artz; Melissa Barnwell and/or Roman and/or Jacqueline Ramirez.
3. “Birth Mother” means or refers to Jennifer Artz; Melissa Barnwell and/or Roman and/or Jacqueline Ramirez.

INTERROGATORIES

1. Please describe any and all toxicological, pharmacological, pharmo-kinetic, longitudinal or other scientific study of opioids conducted on animals in your possession including in the description the title of such studies, date of issuance, who led the study, whether the study was provided to the FDA, and the cost of the study.
2. Please describe any and all toxicological, pharmacological, pharmo-kinetic, longitudinal, clinical trial or other scientific study of opioids conducted on humans in your possession including in the description the title of such studies, date of issuance, who led the study, who funded the study and the cost of the study.
3. Please describe all scientific studies of any sort in your possession, not listed above, that address genotoxicity, teratogenic, mutagenic or development impacts of in utero exposure to opioids.
4. Identify all witnesses you will or may call at the Class Certification Hearing. Provide their full name, address and state the facts you intend to prove and/or disapprove with each witness. State if they are a lay or expert witness; if expert, state their opinions and the basis thereof.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. All studies described in your response to Interrogatory Nos. 1, 2 and 3 above.
2. All emails, memos, presentations, white papers or other documents related to your response to Interrogatories Nos. 1, 2 and 3 above.
3. Please provide any and all documents in your possession that contain the words “Neonatal Abstinence Syndrome”, “NAS”, “infant”, “baby(ies)”, “spina bifida” “club foot” or “in utero”.
4. Please provide any and all documents related to studies of rats or rabbits exposed to opioids.
5. All non-privileged documents in your possession relating to:

- Baby: Isabella Artz
- Guardian: Jennifer Artz
- Birth Mother: Jennifer Artz
- Birth City:

and

- Baby: Cierra Gregory
- Guardian: Melissa Barnwell
- Birth Mother: Melissa Barnwell
- Birth City: Visalia, CA

and

- Baby: Ryan Ramirez
- Guardians: Roman and Jacqueline Ramirez
- Birth Mother: Jacqueline Ramirez
- Birth City: Ventura, CA

and

- Expert: Harvey Rosen
- Expert: Charles Vyvyan Howard
- Expert: Charles Livingston Werntz, III

6. All documents, things, charts or demonstrative evidence you will or may use at the Class Certification Hearing.
7. Produce all prescription records for Isabella Artz and her birth mother and Cierra Gregory and her birth mother within one hundred fifty (150) miles of Visalia, CA and Ryan Ramirez within one hundred fifty (150) miles of Ventura, CA. See attached HIPAA forms.

DATED: October 15, 2019.

Respectfully submitted,

/s/ **Marc E. Dann**

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CERTIFICATE OF SERVICE

A copy of the foregoing was filed via the Court's electronic filing system on October 15, 2019. Notice of this filing will be sent by e-mail through the Court's electronic case-filing system to all counsel of record.

/s/Celeste Brustowicz
Celeste Brustowicz